

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is requested. Claim 1 has been amended to further describe the tumor cells inhibited by the present method and to incorporate a limitation of claim 9. Support for this amendment can be found at least at page 40, line 9 of the present specification. Accordingly, no new matter has been added with these claim amendments.

In addition to the above amendments, Claims 9 and 11-14 have been cancelled. Claims 1 – 8 and 10 are therefore currently pending.

I. Rejection under 35 U.S.C. § 112, second paragraph

Claim 9 has been cancelled, so this rejection is now moot.

II. Rejection under 35 U.S.C. § 112, first paragraph

Claim 1 has been amended to specifically recite the presence of endogenous BCMA or TACI on the tumor cells whose proliferation is being inhibited by the present method. This overcomes the issues that the Examiner had with the scope of the tumor cells previously claimed. Accordingly, the rejection under § 112, first paragraph for all the claims has been overcome and its withdrawal is requested.

III. Rejection under 35 U.S.C. § 102(e), Theill et al.

Claims 1 and 3-8 are rejected as anticipated by the disclosure of Theill et al. (U.S. Patent No. 6,774,106). Independent claim 1 has been amended to recite the specific polypeptide comprising the epitope of the antibody that binds to both BCMA and TACI. This epitope is neither disclosed nor suggested in the disclosure of Theill et al. In this way, the present claims are not anticipated by this teaching, and it is respectfully submitted that this rejection should be withdrawn.

IV. Rejection under 35 U.S.C. § 103, Theill et al. in view of Gross et al.

Claims 1-8 have been rejected as obvious in light of the disclosure of Theill et al. (*supra*) in view of Gross et al. (WO 00/40716). As discussed above, independent claim 1 has been amended to recite the specific polypeptide comprising the epitope of the antibody that binds to both BCMA and TACI. Neither Theill et al. nor Gross et al. disclose this epitope, nor do they particularly disclose it in conjunction with an antibody that could bind to both BCMA and TACI. Until such an antibody is produced, as was done by Applicants and disclosed in the present application, such an antibody would not be obvious to one of ordinary skill, given the lack of a reasonable expectation of success in producing an antibody to an epitope derived from one protein (e.g., TACI) that is additionally capable of binding to

a second protein (e.g., BCMA). Thus, the present claims are unobvious in view of the cited prior art and withdrawal of this rejection on this grounds is respectfully requested.

On the basis of the above amendments and remarks, Applicants believe that each rejection has been addressed and overcome. Reconsideration of the application and its allowance are requested. If for any reason the Examiner feels that a telephone conference would expedite prosecution of the application, the Examiner is invited to telephone the undersigned at (206) 442-6627.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Michelle L. Lewis".

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Enclosures:

Petition and Fee for Extension of Time (in duplicate)
Postcard